

AMENDED IN SENATE APRIL 14, 2011

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 485**

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**Introduced by Senator Hernandez**

February 17, 2011

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An act to add Section 14134.7 to the Welfare and Institutions Code, relating to ~~Medi-Cal~~ *health facilities*.

LEGISLATIVE COUNSEL'S DIGEST

SB 485, as amended, Hernandez. ~~Medi-Cal.~~ *Health facilities: emergency units.*

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care services. *Existing law provides for the licensure of health facilities, including general acute care hospitals.*

This bill would require the department to establish a pilot program to facilitate collaboration between ~~a federally qualified health clinic~~ *an available and accessible provider of nonemergency medical care* and a general acute care hospital to provide a Medi-Cal beneficiary *or patient who lacks health insurance* with an alternative to the use of the emergency unit of a general acute care hospital for care and services if the Medi-Cal beneficiary *or patient*, after a medical screening, is determined by a physician and surgeon *or other health care provider, as specified*, to not have an emergency medical condition and the Medi-Cal beneficiary *or patient* is provided the specified information, in writing, before ~~nonemergency medical care is provided in discharge from the emergency unit.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14134.7 is added to the Welfare and  
2 Institutions Code, to read:  
3 14134.7. (a) The department shall establish a pilot program  
4 to facilitate collaboration between ~~a federally qualified health clinic~~  
5 *an available and accessible provider of nonemergency medical*  
6 *care and a general acute care hospital, as a benefit of the Medi-Cal*  
7 ~~program, to provide a Medi-Cal beneficiary with an~~ *within two*  
8 *geographic locations, to provide a Medi-Cal beneficiary, a patient*  
9 *who lacks health insurance, or both, with an alternative to the use*  
10 *of the emergency unit of a general acute care hospital for care and*  
11 *services if the Medi-Cal beneficiary or patient who lacks health*  
12 *insurance, after a medical screening, is determined by a physician*  
13 *and surgeon or other health care provider who acts within his or*  
14 *her scope of practice to not have an emergency medical condition*  
15 *and the Medi-Cal beneficiary or patient who lacks health insurance*  
16 *is provided the following information, in writing, before*  
17 ~~nonemergency medical care is provided in the emergency unit:~~  
18 *the patient is discharged from the emergency unit:*  
19 (1) The name and address of an available and accessible provider  
20 of nonemergency medical care ~~who does not charge a copay or~~  
21 ~~may charge a lower copay than the general acute care hospital.~~  
22 (2) A referral from the general acute care hospital if necessary  
23 to coordinate the scheduling of treatment.  
24 (b) The department shall submit any necessary application to  
25 the federal Centers for Medicare and Medicaid Services for a  
26 waiver to implement the pilot project described in this section.  
27 The department shall determine the form of waiver most  
28 appropriate to achieve the purposes of this section. The waiver  
29 request shall be included in any waiver application submitted  
30 within 12 months after the effective date of this section, or shall  
31 be submitted as an independent application within that time period.  
32 After federal approval is secured, the department shall implement  
33 the waiver within 12 months of the date of approval.  
34 (c) The department shall develop *a request for proposal process*  
35 *for available and accessible providers of nonemergency medical*

1 *care and general acute care hospitals that want to participate in*  
2 *the pilot project. The department also shall develop a timeline and*  
3 *process for monitoring and evaluating the pilot project and provide*  
4 *this timeline and process to the appropriate fiscal and policy*  
5 *committees of the Legislature.*

6 (d) For purposes of this section, ~~an~~ “an available and accessible  
7 provider of nonemergency medical ~~care~~ care” includes the office  
8 of a physician and surgeon, health clinic, community health center,  
9 and hospital outpatient department, provided that the provider of  
10 nonemergency medical care is able to diagnose or treat  
11 contemporaneously within the same amount of time that a  
12 physician within the emergency unit of a general acute care hospital  
13 would have taken to provide the same nonemergency services.